

The Electricity Act 1989 and Gas Act 1986 Notice of proposal to revoke a final order

RE Avro Energy Limited

Proposal of the Gas and Electricity Markets Authority ("the Authority") to revoke a final order pursuant to section 26(6) of the Electricity Act 1989 ("Electricity Act") and section 29(5) of the Gas Act 1986 ("Gas Act").

1. After consultation, the Authority decided to issue a final order dated 3 April 2019 ("the Final Order") to **Avro Energy Limited** (company number 09174794) whose registered office is situated at Unit 8 The Courtyard Goldsmith Way, Eliot Business Park, Nuneaton, Warwickshire, CV10 7RJ is the holder of an electricity Supply licence and gas Supply licence issued by the Authority on 27 July 2015 under section 6(1)(d) of the EA89 and section 7A (1) of the GA86 respectively.
2. The Final Order required Avro to become a Data Communications Company User ("DCC User") by no later than 25 July 2019, to regularly notify the Authority about progress towards becoming a DCC User including notifying the Authority of the completion of each milestone as set out in the Avro Implementation Plan and not to take on any new customers or upgrade existing accounts to dual fuel from 26 May 2019 until Avro satisfied the Authority that it had become a DCC User.
3. For the reasons set out below, the Authority now proposes to revoke the Final Order:
 - a. On 14 June 2019 Avro satisfied the Authority that it had become a DCC User¹.
 - b. Avro complied with the requirement in the Final Order to notify the Authority within 24 hours of completion of each milestone as set out in the Avro Implementation Plan.
 - c. Consequent on Avro having satisfied the Authority that it had become a DCC User, the ban on acquiring new customers or upgrading customer accounts to dual fuel was lifted by the Authority on 14 June 2019.
4. Avro has complied with the Final Order which was required to secure compliance with standard licence condition SLC 48.8 of the electricity supply licence and SLC 42.8 of the gas supply licence.

¹ See update at <https://www.ofgem.gov.uk/publications-and-updates/avro-final-order>

5. The Authority is satisfied that the Final Order is no longer requisite for the purposes of bringing Avro into compliance with SLC 48.8 of the electricity supply licence and SLC 42.8 of the gas supply licence, as Avro has become a DCC User.
6. Accordingly, the Authority hereby gives notice under sections 26(6) Electricity Act and section 29(5) Gas Act that it proposes to revoke the Final Order.
7. Any representations or objections in respect of this notice of the Authority's proposal to revoke the Final Order must be made in writing on or before 30 July 2019 (being not less than 28 days from the date of the publication of this notice) to Bruno Sheldon, Ofgem, 10 South Colonnade, Canary Wharf, London, E14 4PU or by email to Bruno.Sheldon@ofgem.gov.uk.
8. Responses will normally be published on the Ofgem website. Should you wish your response or part of your response to be confidential please indicate this clearly and give reasons for your request. Any such requests will be considered by Ofgem on a case by case basis.
9. Any representations or objections which are duly made within the timeframe specified above and not withdrawn will be considered by the Authority.

Dated: 1 July 2019

Signed:

Amelia Fletcher - Chair
Megan Forbes

Enforcement Decision Panel
Duly authorised on behalf of the Gas and Electricity Markets Authority